

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2828
Koichiro TANAKA) Examiner: A. Rodriguez
Serial No. 09/481,396)
Filed: January 12, 2000)
For: LASER IRRADIATION APPARATUS)

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MAY 20 2005

OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.


The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

Respectfully submitted,

05/27/2005 AKELLEY 00000001 09481396

01 FC:1464

130.00 OP


Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/481,396	
	Filing Date	January 12, 2000	
	First Named Inventor	Koichiro TANAKA	
	Group Art Unit	2828	
	Examiner Name	A. Rodriguez	
Total Number of Pages in This Submission		Attorney Docket Number	0756-2092

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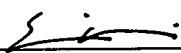
MAY 20 2005

OFFICE OF PETITIONS

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition To Withdraw From Issue <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures 1. RCE 2. 3. 4. 5. 6.
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	May 19, 2005

CERTIFICATE OF MAILING

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Type or printed name			
Signature		Date	

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**FEE TRANSMITTAL
FOR FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 920.00)

Complete if Known

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Examiner Name	A. Rodriguez
Group Art Unit	2828
Attorney Docket No.	0756-2092

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MAY 20 2005

OFFICE OF PETITIONS**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

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Number

50-2280

Deposit
Account
NameRobinson Intellectual Property
Law Office

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17 and
-
- credit overpayments

☐ Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1111	500	2111	250	Search fee	
1311	200	2311	275	Examination fee	
Over 100 Sheets/250 for each additional 50					

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
-20** =	X	\$50	
Independent Claims -3** =	X	\$200	
Multiple Dependent			

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
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1401	500	2401	250	Notice of Appeal	
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1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250-	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions, Group I	\$130.00
1463	200	1463	200	Petition, Group II	
1464	130	1464	130	Petitions, Group III	
1807	50	1807	50	Processing fee under 37 CR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
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1801	790	2801	395	Request for Continued Examination (RCE)	\$790.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 920.00)**CERTIFICATE OF MAILING**

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SUBMITTED BY

Name (Print/Type) Eric J. Robinson

Signature Registration No.
(Attorney/Agent)

38,285

Complete (if applicable)

Telephone

(571) 434-6789

Date

May 19, 2005

U.S. SERIAL NO. 09/481,396
FILED JANUARY 12, 2000
LASER IRRADIATION APPARATUS
KOICHIRO TANAKA
DOCKET NO.: 0756-2092

**SPECIAL PROCEDURES
SUBMISSION**

**PETITION TO WITHDRAW FROM
ISSUE**

DELIVER TO:

**Office of Petitions
U.S.P.T.O.**

**PLEASE FAX COPY OF DECISION ON PETITION
TO 571-434-9499**

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Group Art Unit	2828
Examiner Name	A. Rodriguez
Attorney Docket Number	0756-2092

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OFFICE OF PETITIONS

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Declaration and Power of Attorney☐ Licensing-related Papers☒ Petition To Withdraw From Issue☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosures

1. RCE

2.

3.

4.

5.

6.

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameEric J. Robinson, Reg. No. 38,285
Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, VA 20165

Signature



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FOR FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 920.00)

Complete if Known

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First Named Inventor Koichiro TANAKA

Examiner Name A. Rodriguez

Group Art Unit 2828

Attorney Docket No. 0756-2092

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Independent Claims	-3** =	X	\$200 =
Multiple Dependent			=

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify) _____				

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 920.00)

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SUBMITTED BY

Name (Print/Type)

Eric J. Robinson

Signature

Registration No.
(Attorney/Agent)

38,285

Complete (if applicable)

Telephone

(571) 434-6789

Date

May 19, 2005

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/481,396
Filing Date	January 12, 2000
First Named Inventor	Koichiro TANAKA
Group Art Unit	2828
Examiner Name	A. Rodriguez
Attorney Docket Number	0756-2092

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MAY 20 2005

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

OFFICE OF PETITIONS

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other:

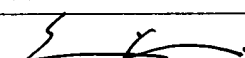
2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☒ Other Petition To Withdraw From Issue _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$920.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285
Signature		Date	May 19, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)			
Signature		Date	

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